

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:14CR3
)	
vs.)	ORDER
)	
RUBEN BUCHANAN,)	
)	
Defendant.)	

This matter is before the court on the motion of defendant for an order requiring the issuance of a subpoena duces tecum to the Custodian of records of the Mercy Child Advocacy Center in Sioux City, Iowa, for:

Copies of any and all photographic and/or video images obtained in connection with Dr. Jung's August 6, 2013 examination of juvenile, D.L. Copies of all standard operating procedure, protocols and quality controls concerning the particular colposcope used during the examination of D.L. Copies of standard operating procedures, protocols, quality control measures or similar documents related to the use of colposcopic photography, video or similar images used in forensic evaluations in connection with the investigation of sexual assault cases. Copies of all written protocol, standard operating procedures and/or standards used to identify and quantify physical injuries and/or abnormalities and how such injuries and/or abnormalities impact forensic investigations in sexual assault cases. Copies of curriculum vitae and documents supplementing the vitae of Dr. Jung as it relates to his experience and knowledge of the use of colposcopic imagery in forensic sexual assault cases. Copies of the qualifications and training of any personnel involved in operating the colposcope or preserving the colposcopic photographs or videos of D.L.

(Filing No. 26). The subpoena seeks the production of personal and confidential information about a juvenile victim of an alleged sexual assault charged in the Indictment in this matter. Pursuant to Fed. R. Crim. P. 17(c)(3), the victim must be given notice so that the victim can move to quash or modify the subpoena or otherwise object before the court issues such an order. Since the government is more fully aware of the victim and her circumstances, the court will require the U.S. Attorney to make such notification to the victim requiring any motion to quash or objection by the victim to be filed on or before April 21, 2014. The U.S. Attorney shall file, under seal, a copy of such notification forthwith.

IT IS SO ORDERED.

DATED this 10th day of April, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge